

RECEIVED
FEDERAL ELECTION
COMMISSION

2014 SEP 19 AM 9:33

CELA

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 6578
Doug LaMalfa Committee and David)
Bauer in his official capacity as treasurer;)
Doug LaMalfa; Mark Spannagel;)
www.sam4congress.com)

CERTIFICATION

I, Shelley E. Garr, recording secretary of the Federal Election Commission executive session, do hereby certify that on September 16, 2014, the Commission took the following actions in the above-captioned matter:

1. Decided by a vote of 6-0 to:

Rescind the motion made by Commissioner Weintraub on September 9, 2014 that the Commission find reason to believe that the Doug LaMalfa Committee and its treasurer violated 52 U.S.C. § 30124 (formerly 2 U.S.C. § 441h).

Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

2. Failed by a vote of 2-4 to:

Find reason to believe that the Doug LaMalfa Committee and David Bauer in his official capacity as treasurer, Doug LaMalfa, and Mark Spannagel violated 52 U.S.C. § 30124 (formerly 2 U.S.C. § 441h).

Commissioners Walther and Weintraub voted affirmatively for the motion. Commissioners Goodman, Hunter, Petersen, and Ravel dissented.

3. Decided by a vote of 5-1 to:

- a. Dismiss the allegations that the Doug LaMalfa Committee and David Bauer in his official capacity as treasurer and Mark Spannagel violated 52 U.S.C. § 30120 (formerly 2 U.S.C. § 441d) pursuant to Heckler v. Chaney, 470 U.S. 821 (1985).
- b. Find no reason to believe that the Doug LaMalfa Committee and David Bauer in his official capacity as treasurer, Doug LaMalfa, or Mark Spannagel violated 52 U.S.C. § 30104(c) (formerly 2 U.S.C. § 434(c)).
- c. Find no reason to believe that the Doug LaMalfa Committee and David Bauer in his official capacity as treasurer, Doug LaMalfa, or Mark Spannagel violated 52 U.S.C. § 30103 (formerly 2 U.S.C. § 433).
- d. Dismiss the allegations that www.sam4congress.com violated the Act.
- e. Approve the applicable portions of the Factual and Legal Analysis as recommended in the First General Counsel's Report dated June 17, 2013 with edits last circulated by Chairman Goodman's Office on September 15, 2014 and subject to the edit previously described at the Table.
- f. Authorize technical and conforming edits.

Commissioners Goodman, Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision. Commissioner Ravel dissented.

4. Decided by a vote of 4-2 to:

- a. Find no reason to believe that the Doug LaMalfa Committee and David Bauer in his official capacity as treasurer, Doug LaMalfa, or Mark Spannagel violated 52 U.S.C. § 30124 (formerly 2 U.S.C. § 441h).
- b. Approve the applicable portion of the Factual and Legal Analysis as recommended in the First General Counsel's Report dated June 17, 2013 with edits last circulated by Chairman Goodman's Office on September 15, 2014 and as further modified at the Table.

Commissioners Goodman, Hunter, Petersen, and Ravel voted affirmatively for the decision. Commissioners Walther and Weintraub dissented.

5. Decided by a vote of 6-0 to:
- Close the file.
 - Send the appropriate letters.
 - Authorize OGC to make technical and conforming edits.

Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

Attest:

September 18, 2014
Date

Shelley E. Gair
Shelley E. Gair
Deputy Secretary of the Commission